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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,906	09/23/2004	Tatsuya Adachi	8861-500US(P33203-02)	8356
570 7590 10/19/2007 AKIN GUMP STRAUSS HAUER & FELD L.L.P. ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103			EXAMINER TRUJILLO, JAMES K	
			ART UNIT 2116	PAPER NUMBER
			MAIL DATE 10/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/508,906

**Applicant(s)**

ADACHI, TATSUYA

**Examiner**

James K. Trujillo

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file:
2. Claims 1-13 are presented for examination.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5, 6, 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Briggs et al., U.S. Patent 6,963,986.

5. Regarding claim 1, Briggs teaches a peripheral device (peripheral device, col. 3, line 55 and abstract among other citations) comprising:

a functional unit which carries out a function based on commands from main device (wherein host 1 is the main device and functional unit such as microprocessor is an inherent part of the peripheral device necessary to carryout commands from the main device, col. 3, line 5-15 and col. 4, lines 1-14);

a power control section which controls power consumption of said functional unit (necessary to enable/disabled blocks and increase/decrease clock frequency, col. 4, lines 15-23);

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a power profile information memory which memorizes a power profile information list that includes single or plural power profile information (enumeration information used to determine a configuration state of the peripheral device and the configuration must be maintained, col. 4, lines 1-14); and

an interface section which sends and receives said power profile information and commands relevant to the functional unit to and from said main device (not explicitly disclosed but inherently necessary in order for the peripheral device to receive the configuration state so the device may use more or less power, col. 3, line 54 through col. 4, line 14);

wherein said interface section corresponds to a demand from said main device and sends said power profile information list to said main device (interface is not explicitly disclosed but is inherent in for the host to select a configuration after which the enumeration the device is given the go ahead to increase power, col. 3, line 54 through col. 4, line 14); and

said power control section controls power consumption of said functional unit by corresponding to the selected information of said power profile information that was received from said main device (device is given the go ahead to increase power, col. 3, line 54 through col. 4, line 14).

6. Regarding claim 2, Briggs teaches a peripheral device comprising:

a functional unit which carries out a function based on commands from main device (wherein host 1 is the main device and functional unit such as microprocessor is an inherent part of the peripheral device necessary to carryout commands from the main device, col. 3, line 5-15 and col. 4, lines 1-14);

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a power profile register which memorizes power profile information (inherent in order carry out the SET\_CONFIGURATION command, col. 2, lines 60-65);

a power control section which controls power consumption of said functional unit (necessary to enable/disabled blocks and increase/decrease clock frequency, col. 4, lines 15-23);

a power profile information memory which memorizes a power profile information list that includes single or plural power profile information (enumeration information used to determine a configuration state of the peripheral device, col. 4, lines 1-14); and

an interface section which sends and receives said power profile information and commands relevant to the functional unit to and from said main device (not explicitly disclosed but inherently necessary in order for the peripheral device to receive the configuration state so the device may use more or less power, col. 3, line 54 through col. 4, line 14);

wherein said interface section corresponds to the demand from said main device and sends said power profile information list memorized in said power profile information memory to said main device (interface is not explicitly disclosed but is inherent in for the host to select a configuration after which the enumeration the device is given the go ahead to increase power, col. 3, line 54 through col. 4, line 14), and

corresponding to the selected information of said power profile information that was received from said main device, stores the corresponding power profile information from said power profile information memory, in said power profile register (in order to carry out the SET\_CONFIGURATION command and maintain configuration); and

said power control section deciphers said power profile information stored in said power profile register and controls power consumption of said functional unit based on said deciphered

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power profile information (device is given the go ahead to increase power, col. 3, line 54 through col. 4, line 14).

7. Regarding claim 3, Briggs teaches a peripheral device comprising:

a functional unit which carries out a function based on commands from main device (wherein host 1 is the main device and functional unit such as microprocessor is an inherent part of the peripheral device necessary to carryout commands from the main device, col. 3, line 5-15 and col. 4, lines 1-14);

a power profile information memory which memorizes a power profile information list that includes single or plural power profile information (enumeration information used to determine a configuration state of the peripheral device and the configuration must be maintained, col. 4, lines 1-14);

an interface section receives specifications which said main device designated or power profiles which said main device designates (not explicitly disclosed but inherently necessary in order for the peripheral device to receive the configuration state so the device may use more or less power, col. 3, line 54 through col. 4, line 14);

a power profile judgment section which determines from the specifications power profile information from the power profile information list stored in the power profile information memory (after the enumeration the device is given the go ahead to increase power based on the configuration state that was send from the main device as a SET\_CONFIGURATION command, col. 3, line 54 through col. 4, line 14 and col. 2, lines 62-65);

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a power profile register which memorizes said power profile information that is determined by said power profile judgment section (inherent in order to carry out the SET\_CONFIGURATION command col. 2, lines 62-65); and

a power control section which controls power consumption of said functional unit ();

wherein said interface section sends information regarding the range of power profile (portions of 22, 23 and 24 that communicate with the main device) which said main device designated or allowed, wherein information is sent from said main device, to said power profile judgment section (necessary to enable/disable blocks and increase/decrease clock frequency, col. 4, lines 15-23); and

said power control section deciphers said power profile information stored in said power profile register and controls power consumption of said functional unit based on said deciphered power profile information (enable/disable blocks and increase/decrease clock frequency, col. 4, lines 15-23).

8. Regarding claim 5, Briggs taught the peripheral device according to claim 1, as described above. Briggs further teaches wherein said power profile information includes at least one of: (1) maximum output of a power amplifier, (2) transmission rate of a wireless communication, and (3) in use or not of said functional unit, as is element (peripheral may be turned off, col. 6, line 57 through col. 7, line 2); and

said power control section controls power consumption of said functional unit in regard to said element of said power profile register (necessary to enable/disable blocks and increase/decrease clock frequency, col. 4, lines 15-23).

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9. Regarding claim 6, Briggs teaches a main device which demands power profile information to said peripheral device (using set configuration command, col. 3, lines 64-67), wherein power profile information includes single or plural power profile information that is information for peripheral device to control power (various possible configurations, col. 3, lines 54-67), selects single power profile information which is appropriate for the main device from said power profile information list sent from said peripheral device (using set configuration command, col. 3, lines 54-67), and sends the selected information of selected power profile information to said peripheral device (the peripheral adjusts the power based on the Set configuration command col. 4, lines 1-14 and abstract).

10. Regarding claim 8, Briggs taught the device according to claim 6, as described above. Claim 8 is further rejected for the same reasons as those in claim 5.

11. Regarding claims 9-13, Jinnouchi taught the claimed peripheral and main device therefore he also teaches the claimed control methods.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Briggs in view of Horden, U.S. Patent 5,812,860.

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14. Regarding claim 4, Briggs taught the peripheral device according to claim 1, as described above. Briggs teaches wherein said power profile judgment section changes said power profile information to be stored in power profile register based sent from said main device (changing frequency, col. 4, lines 15-24), however not on a *value of voltage* sent from said main device [emphasis added].

Horden teaches adjusting the voltage and frequency of a function unit in order to optimize performance with power consumption (figure 2c and corresponding text and col. 2, lines 7-32).

It would have been obvious to one of ordinary skill in the art, having the teachings of Briggs and Horden before them at the time the invention was made to modify the peripheral of Briggs to include power profile register having a voltage such that the changes would be based on voltage.

One of ordinary skill in the art would have been motivated to make this modification in order to reduce the power consumption and make the peripheral more efficient because power view of Horden.

15. Regarding claim 7, it is rejected for similar reasons as those in the rejection of claim 4.

#### ***Response to Arguments***

16. Applicant's arguments, see bottom of page 7 through first paragraph on page 8, filed 7/26/07, with respect to the rejection(s) of claim(s) 1-13 under U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon

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further consideration, a new ground(s) of rejection is made in view of Briggs and Briggs in view of Horden.

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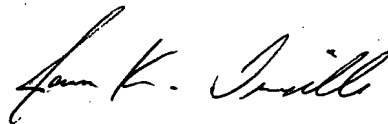
***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James K. Trujillo whose telephone number is (571) 272-3677. The examiner can normally be reached on M-F (8:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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